

Amendments to the Claims:

Please amend claims 90, 91, 95, 96, 98, 108, 114 and 119, and cancel claim 106, all as shown below.

All pending claims are reproduced below, including those that remain unchanged.

1-89. (Previously Cancelled)

90. (Currently Amended): An improved method for stabilizing a spinous process relative to another spinous process, said method being of the type wherein a device is implanted between said spinous process and said another spinous process, wherein said improvement comprises:

introducing between said spinous process and said another spinous process a flaccid flexible implant which self-conforms upon implantation to the shape of at least one of said spinous process and said another spinous process;

wherein said flaccid flexible implant defines a minimum space between said spinous process and said another spinous process at a maximum extension of a spine.

91. (Currently Amended): An improved method for stabilizing a spinous process relative to another spinous process, said method being of the type wherein a device is implanted between said spinous process and said another spinous process, wherein said improvement comprises:

introducing between said spinous process and said another spinous process a flaccid flexible implant which is self-conformable in situ to the shape of at least one of said spinous process and said another spinous process;

wherein said flaccid flexible implant defines a minimum space between said spinous process and said another spinous process at a maximum extension of a spine.

92. (Previously Cancelled)

93. (Previously Amended): An improved method for stabilizing a spinous process relative to another spinous process, said method being of the type wherein a device is implanted between said spinous process and said another spinous process, wherein said improvement comprises:

introducing between said spinous process and said another spinous process a device having a sealable cavity which is fillable with a material.

94. (Previously Amended): An improved method for stabilizing a spinous process relative to another spinous process, said method being of the type wherein a device is implanted between said spinous process and said another spinous process, wherein said improvement comprises:

introducing between said spinous process and said another spinous process a device which has flexible walls defining a sealable cavity capable of being filled with a material.

95. (Currently Amended): An improved method for stabilizing a spinous process relative to another spinous process, said method being of the type wherein a device is implanted between said spinous process and said another spinous process, wherein said improvement comprises:

introducing between said spinous process and said another spinous process a device having flexible walls and without rigid walls;

wherein the device is adapted to absorb shock.

96. (Currently Amended): An improved method for stabilizing a spinous process relative to another spinous process, said method being of the type wherein a device is implanted between said spinous process and said another spinous process, wherein said improvement comprises:

introducing between said spinous process and said another spinous process a device having flexible walls and without rigid walls;

wherein the device is adapted to absorb shock such that motion of at least one of said spinous process and said another spinous process is damped.

97. (Previously Cancelled)

98. (Currently Amended): An improved method for stabilizing a spinous process relative to another spinous process, said method being of the type wherein a device is implanted between said spinous process and said another spinous process, wherein said improvement comprises:

introducing between said spinous process and said another spinous process a device which is comprised of a shape memory material;

which device can change shape according to the temperature of the device.

99. (Previously Amended): An improved method for stabilizing a spinous process relative to another spinous process, said method being of the type wherein a device is implanted between said spinous process and said another spinous process, wherein said improvement comprises:

introducing between said spinous process and said another spinous process a device which is comprised of a shape memory material;

said device having an introduction shape and a final implanted shape and wherein said device is in the introduction shape at the beginning of the introducing step and then allowed to assume the implanted shape relative to at least one of said spinous process and said another spinous process.

100. (Previously Amended): An improved method for stabilizing a spinous process relative to another spinous process, said method being of the type wherein a device is implanted between said spinous process and said another spinous process, wherein said improvement comprises:

introducing between said spinous process and said another spinous process a device which is comprised of a shape memory material;

wherein said shape memory material changes shape according to temperature.

101. (Previously Amended): A method for relieving pain associated with the spine comprising the steps of:

introducing a device between a spinous process and another spinous process, which device includes a flexible wall which defines a sealable cavity;

filling the cavity with a material; and

sealing the cavity.

102. (Previously Amended): A method of relieving pain associated with the spine comprising the steps of:

introducing a device relative to a spinous process and another spinous process, wherein said device has a first configuration and a second configuration, and the introducing step includes introducing the device in the first configuration; and

allowing the device to reconfigure to the second configuration, thereby distracting the spinous process and the another spinous process.

103. (Original): The method of claim 102 including:

said allowing step allows the device to reconfigure about one of the spinous process and the another spinous process.

104. (Previously Amended): A method of relieving pain associated with the spine comprising the steps of:

introducing a device relative to a spinous process and another spinous process, wherein said device has a first configuration and a second configuration, and the introducing step includes introducing the device in the first configuration; and

allowing the device to reconfigure to the second configuration between the spinous process and the another spinous process.

105. (Original): The method of claim 102 including:

using an introduction tool in order to introduce the device relative to the spinous process and the another spinous process in the first configuration; and

removing the introduction tool in order to allow the device to reconfigure to the second configuration.

106. (Cancel)

107. (Original): The method of claim 102 wherein:
prior to said introducing step is the step of causing the device to come to a first temperature associated with the first configuration; and
said allowing step allows the device to come to a second temperature when placed relative to the spinous process and the another spinous process in order that the device reconfigures to the second configuration.

108. (Currently Amended): A method for relieving pain associated with the spine comprising the steps of:
introducing a device between adjacent relative to a spinous processes, process and another spinous process which device is able to dampen relative motion between the spinous processes process and the another spinous process; and
not connecting the device to either of the adjacent spinous processes process or the another spinous process.

112-113. (Previously Cancelled)

114. (Currently Amended): An improved method for stabilizing a spinous process relative to another spinous process, said method being of the type wherein a device is implanted between said spinous process and said another spinous process, wherein said improvement comprises:

introducing between said spinous process and said another spinous process an implant;

wherein said implant is manipulated into a first shape at the beginning of the introducing step and then allowed to assume a second shape relative to at least one of said spinous process and said another spinous process as the temperature of the implant changes.

115. (Previously Added): An improved method for stabilizing a spinous process relative to another spinous process, said method being of the type wherein a device is implanted between said spinous process and said another spinous process, wherein said improvement comprises:

introducing between said spinous process and said another spinous process an implant having a first shape;

wherein said implant assumes a second shape when a threshold temperature is reached.

116. (Previously Added): The improved method of claim 115, wherein the threshold temperature is a body temperature.

117. (Previously Added): A method of relieving pain associated with a spine comprising:
manipulating an implant having a first shape such that the implant assumes a second shape;
inserting the implant between a first spinous process and a second spinous process;
releasing the implant so that the implant returns to a first shape, thereby distracting the spinous process and the another spinous process.

118. (Previously Added): A method of relieving pain associated with a spine comprising:
inserting an implant having a first configuration between a first spinous process and a second spinous process; and

allowing the implant to reconfigure to a second configuration, thereby distracting the spinous process and the another spinous process.

119. (Currently Amended): A method of relieving pain associated with a spine comprising:
introducing between a first spinous process and a second spinous process a ~~flaccid~~ flexible implant adapted to self-conform upon implantation to the shape of at least one of the first spinous process and the second spinous process;
wherein the ~~flaccid~~ flexible implant defines a minimum space between the first spinous process and the second spinous process at a maximum extension of a spine.

No fee is required with this communication.

Respectfully submitted,

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